

Remarks/Arguments

Claims 1-26 remain pending in the present application, and are resubmitted for further consideration by the Examiner. No claims have been added, and no claims have been canceled. Applicants have carefully considered the cited art and the Examiner's comments, and believe Claims 1-26 currently in the case patentably distinguish over the cited art and are allowable in their present form. Reconsideration of the rejection is, accordingly, respectfully requested in view of the following comments.

Claims 1-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Braun et al. (U.S. Patent No. 6,564,153). This rejection is respectfully traversed.

Braun et al. (hereinafter Braun) is directed to a method for predicting the presence of an abnormal level of one or more proteins from one or more time-dependent measurement profiles. In Braun, time-dependent measurements are performed on an unknown sample, and a property of the sample is measured over time to derive a time-dependent measurement profile. Predictor variables are derived to define the data-dependent measurement profile, and a model is derived that represents the relationship between an abnormality and the predictor variables. The model is then used to predict abnormal proteins.

The present invention, on the other hand, is directed to a graphical indicator for adjusting a value of a parameter to a target value. As described on page 2 of the specification, examples of parameters that may be adjusted include frequency and signal strength; and the graphical indicator of the present invention permits, for example, an adjustment mechanism such as a dial or an antenna to be adjusted to achieve a target frequency or signal strength value.

Claim 1 of the present application reads as follows:

1. A graphical indicator for adjusting a value of a parameter to a target value comprising:
target value indicia that represents a target value of the parameter; and
measured value indicia that represents a measured value of the parameter,
wherein a change in a measured value of said parameter relative to said target value is represented by a first corresponding amount of movement of the measured value indicia relative to the target value indicia when said measured value is within a first span of parameter values, and a second corresponding amount of movement of the measured value indicia relative to the target indicia when said measured value is within a second span of parameter values, the second corresponding amount of movement being different than the first corresponding amount of movement.

Braun does not disclose a graphical indicator that includes target value indicia and measured value indicia as recited in Claim 1. Braun also does not disclose a graphical indicator in which “a change in a measured value of said parameter relative to said target value is represented by a first corresponding amount of movement of the measured value indicia relative to the target value indicia when said measured value is within a first span of parameter values, and a second, different corresponding amount of movement of the measured value indicia relative to the target value indicia when said measured value is within a second span of parameter values”, as also recited in Claim 1.

In rejecting the claims, the Examiner refers to col. 13, lines 6-15 of Braun as disclosing a graphical indicator for adjusting a value of a parameter to a target value. Applicants respectfully disagree. Braun discloses generating receiver operating curves (ROC curves) that plot true-positive proportion versus false-positive proportion at different “decision boundaries” for a diagnostic test. In col. 13, lines 15-18, Braun states:

For example, an ROC plot for diagnosis of F11 deficiencies using PT clot time was generated by varying the decision boundary (value of PT clot time) used to differentiate between deficient and non-deficient specimens.

Braun discloses plotting graphs representing measured values. Braun does not disclose a graphical indicator that includes target value indicia, nor does it disclose adjusting a value of a parameter to a target value. The decision boundary in Braun is not target value indicia but is a variable value used to plot ROC curves (see col. 13, lines 12-15).

The Examiner refers to Figs. 14-21 and 26-27 of Braun as disclosing that a change in a measured value of a parameter relative to a target value is represented by a first corresponding amount of movement of the measured value indicia relative to the target value indicia when the measured value is within a first span of parameter values, and a second, different, corresponding amount of movement of the measured value indicia relative to the target indicia when the measured value is within a second span of parameter values. Applicants respectfully disagree.

Figs. 14-21 illustrate various ROC curves plotting True-Positive Proportion versus False-Positive Proportion. The graphs are not graphical indicators that include target value indicia, nor do the graphs disclose that a change in a measured value of a parameter relative to a target value is represented by different amounts of movement in first and second spans of parameter values.

Figs. 26 and 27 of Braun are graphs that illustrate a correlation between neural network output and measured data, and are also not pertinent to the present invention.

In general, Applicants submit that Braun does not disclose a graphical indicator as recited in Claim 1, and that Claim 1 is not anticipated by Braun. Claim 1, accordingly, is believed to be allowable in its present form, and it is respectfully requested that the Examiner so find.

Claims 2-14 depend from and further restrict Claim 1 and should also be allowable in their present form, at least by virtue of their dependency, although many of the claims recite additional features of the graphical indicator of the invention that are not disclosed in Braun.

Independent Claim 15 is also not anticipated by Braun for substantially the same reasons as discussed above with respect to Claim 1. Claim 15 also recites a graphical indicator that includes target value indicia and measured value indicia, and that “an amount of change in the measured value of the parameter relative to the target value of the parameter is represented by a corresponding amount of movement of the measured value indicia relative to the target value indicia”. In addition, Claim 15 further recites:

indicia for dividing the measurement span indicia into a linear measurement span indicia portion in which the amount of change in the measured value of the parameter is represented by the same corresponding first amount of movement of the measured value indicia throughout the linear measurement span indicia portion, and a non-linear measurement span indicia portion in which the amount of change in the measured value of the parameter is represented by different corresponding second amounts of movement of the measured value indicia in different portions of the non-linear measurement span indicia portion.

(Emphasis added.)

Braun does not disclose a graphical indicator in which a change in a measured value of a parameter relative to a target value is represented by different amounts of movement in first and second spans of parameter values, as indicated above, and also does not disclose a graphical indicator that includes a linear measurement span and a non-linear measurement span. Braun also does not disclose a graphical indicator having “a non-linear measurement span indicia portion in which the amount of change in the measured value of the parameter is represented by different corresponding second amounts of movement of the measured value indicia in different portions of the non-linear measurement span indicia portion”(emphasis added).

For all the above reasons, Claim 15, together with Claims 16-21 dependent on Claim 15 should also be allowable in their present form.

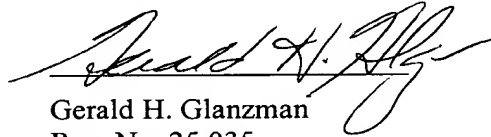
Independent Claims 22 and 24 are also not anticipated by Braun for similar reasons as discussed above with respect to Claims 1 and 15. Claims 22 and 24, together with dependent Claims 23, 25 and 26, should, accordingly, also be allowable in their present form.

For all the above reasons, Claims 1-26 are not anticipated by Braun and are believed to be allowable in their present form. This application is, accordingly, believed to be in condition for allowance, and it is respectfully requested that the Examiner so find and issue a Notice of Allowance in due course.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: June 14, 2004

Respectfully submitted,



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